

BILL NO. A-73-01-05

SPECIAL ORDINANCE NO. S- 06-73

AN ORDINANCE approving an Agreement with BERCOT, INC. for installation of a water line to serve properties in Hickory Grove Addition in connection with Water Contract

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
FORT WAYNE, INDIANA:

SECTION 1. The Agreement approved December 7, 1972, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and BERCOT, INC. for installation of a water line, to be constructed and installed as follows:

a six inch (6") water main along the south side of Homedale Drive, from the west property line of Hessen Cassel Road to the west property line of lot 12, also on the west side of Waycross Drive, from the north property line of lot # 14, to the south property line of lot 11, all in Hickory Grove Addition, Section "A" and said water mains with all its appurtenances shall be constructed in accordance with the profile and specifications now on file in the office of the Department of Public Works of said City,

for a total cost of \$20,896.10 on which City will be paying 16% all as more particularly set forth in said Agreement, which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.



Councilman

APPROVED AS TO FORM
AND LEGALITY,


CITY ATTORNEY

Read the first time in full and on motion by Stier seconded by

Kinga and duly adopted, read the second time by title and referred to the Committee on Public Works (and to the City Plan Commission for recommendation) (and PUBLIC HEARING to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on the _____ day of _____, 19____, at _____ o'clock P.M., E.S.T.)

Date: 1-9-73

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by Stier

seconded by Kinga and duly adopted, placed on its passage.

Passed (~~1973~~) by the following vote:

AYES 9 NAYS 0 ABSTAINED _____ ABSENT _____ to-wit:

Jones	✓	_____	_____	_____
Kinga	✓	_____	_____	_____
Kraus	✓	_____	_____	_____
Nuckols	✓	_____	_____	_____
Moses	✓	_____	_____	_____
Schmidt, D.	✓	_____	_____	_____
Schmidt, V.	✓	_____	_____	_____
Stier	✓	_____	_____	_____
Talarico	✓	_____	_____	_____

Date 1/23/73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as (~~Zoning Map~~) (~~General~~) (~~Annexation~~) (~~Special~~) (~~Appropriation~~) Ordinance (~~Resolution~~) No. 106-73 on the 23rd day of January, 19 73.

ATTEST: (SEAL)
Charles W. Westerman
CITY CLERK

Charles W. Westerman
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of January, 19 73 at the hour of 9:30 o'clock P.M., E.S.T.

Approved and signed by me this 24th day of January, 19 73 at the hour of 10:30 o'clock A M., E.S.T.

John A. Redmond
MAYOR

Bill No. S-73-01-05

REPORT OF THE COMMITTEE ON Public Works

We, your Committee on Public Works to whom was referred an Ordinance
_____ approving an Agreement with BERCOT, INC. for
_____ installation of a water line to serve properties in
_____ Hickory Grove Addition in connection with Water Contract

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Do PASS.

James S. Stier, Chairman

Eugene Kraus, Jr., Vice-Chairman

William T. Hinga

Samuel J. Talarico

Vivian G. Schmidt

James S. Stier
Eugene Kraus Jr.
William T. Hinga
Samuel J. Talarico
Vivian G. Schmidt

DATE 1-23-73 CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK

CONTRACT AND BOND

This Agreement, Made and entered into as of the 7th day of

December 19.72, by and between

Bercot, Inc.

the County of Allen and State of Indiana, party of the first part, and the City of Fort Wayne, County of Allen, State of Indiana, by and through its Board of Public Works, party of the second part, under and by virtue of an Act of the General Assembly of the State of Indiana, entitled "An Act Concerning Improvements, in or for the benefit of recorded platted additions to and/or within cities and towns." Approved May 16, 1927, and the provisions of all acts amendatory thereto and supplemental thereof.

WITNESSETH, That the party of the first part covenants and agrees to construct

a six inch (6") water main along the south side of Homedale Drive, from the west property line of Hessen Cassel Road to the west property line of lot 12, also on the west side of Waycross Drive, from the north property line of lot # 14, to the south property line of lot 11, all in Hickory Grove Addition, Section "A" and said water mains with all its appurtenances shall be constructed in accordance with the profile and specifications now on file in the office of the Department of Public Works of said City.

for the Following Prices

BID:

Item	Quantity	Unit Price	Extension
1.	1,640 ft. 6" Cast Iron Pipe	\$ 7.65	\$ 12,546.00
2.	1 only Fire Hydrant Assy., Type I w/box	612.00	612.00
3.	2 each Fire Hudrant Assy., Type II w/box	612.00	1,224.00
4.	4 each 6" Valves w/box	170.00	680.00
5.	1 only 6" Mechanical Joint Cross	306.00	306.00
6.	210 L.F. Asphalt Replacement	3.50	735.00
7.	20 L.F. Concrete Replacement	10.00	200.00
8.	50 L.F. Driveway Stone Replacement	1.75	87.50
9.	50 L.F. 12" Tile Replacement	2.60	130.00
10.	10 L.F. 8" Tile Replacement	2.60	26.00
11.	1,360 L.F. Top Soil and Reseeding	.61	829.60
12.	22 each 3/4" Service taps with curb stop and curb box, installed to within 7' of owner's property line, in desired location of each property owner. Vacant lots to be installed in center of lot.	160.00	3,520.00
Total Bid			20,896.10
13.	Inspection Hours - 40 -	@ \$8.44/hr.	337.60

- 9 -

This contract approved by us this day of 19.

BOARD OF PUBLIC WORKS,
Party of the second part.

APPROVED AS TO FORM AND LEGALITY

Mayor

CITY ATTORNEY

LIABILITY BOND

KNOW ALL MEN BY THESE PRESENTS, That we

Bercot, Inc.

as principal and General Insurance Company of America, Seattle, Washington

as surety, are held and firmly bound to the City of Fort Wayne, Indiana, in the sum of

Twenty Thousand Eight Hundred Ninety Six and 10/100 Dollars (\$ 20,896.10)

for the payment of which well and truly to be made we jointly and severally bind ourselves, our heirs, executors, administrators and assigns firmly by these presents.

The conditions of the above obligations are such, that if the above named party of the first part shall faithfully comply with the foregoing contract made and entered into the7th.....

day ofDecember....., with the City of Fort Wayne, Indiana, and shall faithfully fulfill all the conditions and stipulations therein contained including the payment of vendors', suppliers and sub-contractors' bills, except the warranty and guaranty of the water main as to the workmanship, material and condition for the period of One (1) year, according to the true intent and meaning thereof in all respects, then this obligation to be void, other wise to be an remain in full force and virtue in law and in the event the said City shall extend for the completion of said work, such extension shall not in any way release the sureties of this bond.

Witness our hands and seals this.....7th..... day ofDecember..... 19.....72

General Insurance Company of America *Saul Bercot Pres.* (SEAL)

By *Anthony Huff* (SEAL)

Corporate Secretary-in-fact (SEAL)

(SEAL)

Approved thisday of..... 19.....

Ronald L. Bonner

Board of Public Works.

The Contractor will furnish immediately a certificate from the Industrial Board of the State of Indiana, that he has complied with Sections 5, 68, 69 of the Workmen's Compensation Act, approved March 14, 1929, in accordance with Section 14 of the Compensation Act (Acts 1929, page 545, being Section 9459 of Burns Annotated Statutes Volume IV). (Section 40-1214 Burns Annotated 1952 Revision—Volume VIII).

A copy of General Ordinance No. G-60-66, concerning discriminating in employment under municipal contracts, is attached and incorporated herein by reference.

GUARANTY BOND

KNOW ALL MEN BY THESE PRESENTS, That we

Bercot, Inc. Contractors

as principal and General Insurance Company of America, Seattle, Washington

as surety, are held and firmly bound to the City of Fort Wayne, Indiana, in the sum of

Twenty Thousand Eight Hundred Ninety Six and 10/100 Dollars (\$ 20,896.10

for the payment of which well and truly to be made we jointly and severally bind ourselves, our heirs, executors, administrators, and assigns firmly by these presents.

The conditions of the above obligations are, that whereas the said

Bercot, Inc.

did on the day of enter into a contract with the City

of Fort Wayne, Indiana, by and through its Board of Public Works, for the construction of a water main

in and along --- a six inch (6") water main along the south side of Homedale Drive, from the west property line of Hessen Cassel Road to the west property line of lot 12, also on the west side of Waycross Drive, from the north property line of lot 14, to the south property line of lot 11, all in Hickory Grove Addition, Section "A", and said water mains with all its appurtenances shall be constructed in accordance with the Profile and specifications now on file in the office of the Department of Public Works of said City.

according to certain plans and specifications, and also warranting and guaranteeing the work, material and conditions of the water main as provided in the aforesaid contract, plans and specifications.

Now, if the said Bercot, Inc

shall faithfully perform and fulfill all the requirements of said warranty and guaranty, and make all repairs required under said guarantee, and in the manner provided for, then this bond to be null and void otherwise to be in full force and effect.

WITNESS our hands and seals this 7th day of December 1972

General Insurance Company of America

Paul Bercot Pres. (SEAL)

By *Helen H. Huff* (SEAL)

Attorney-in-fact (SEAL)

Approved this day of 19.....

Board of Public Works.

DEPARTMENT OF PUBLIC WORKS
OFFICE OF THE BOARD
CITY HALL

To Whom It May Concern:

Fort Wayne, Ind.,19.....

The time in which to complete the within contract is hereby extended by the Board of Public Works
of the City of Fort Wayne, Indiana, until

Board of Public Works.

DEPARTMENT OF PUBLIC WORKS
OFFICE OF THE BOARD
CITY HALL

To Whom It May Concern:

Fort Wayne, Ind.,19.....

The time in which to complete the within contract is hereby extended by the Board of Public Works
of the City of Fort Wayne, Indiana, until

Board of Public Works.

CONTRACT AND BOND

of

No. 19

for

Amount of Bond

Approved:

Dollars

Board of Public Works.

Recorded in Contract Record Book No.

Page..... Recorded in..... Imp. Res.

Record Book No..... Page.....

Improvement Resolution No. 19

Cost per lot \$.....

Assessment Roll Approved

Final Estimate Approved





POWER OF ATTORNEY

No. 2388

KNOW ALL MEN BY THESE PRESENTS:

That General Insurance Company of America, a Washington corporation, does hereby appoint

-----H. STANLEY HUFF, JR. &/or DONALD F. CAMPBELL, Fort Wayne, Indiana-----

its true and lawful attorney(s)-in-fact, with full authority to execute on behalf of the company fidelity and surety bonds or undertakings and other documents of a similar character issued by the company in the course of its business, and to bind General Insurance Company of America thereby as fully as if such instruments had been duly executed by its regularly elected officers at its home office.

IN WITNESS WHEREOF, General Insurance Company of America has executed and attested these presents

this 15 day of December, 19 67.

SECRETARY

PRESIDENT

CERTIFICATE

Extract from the By-Laws of General Insurance Company of America:

"Article VI, Section 13. - FIDELITY AND SURETY BONDS . . . the Chairman of the Board of Directors, the President, any Vice President, and the Secretary shall each have authority to appoint individuals as attorneys-in-fact or under other appropriate titles with authority to execute on behalf of the company fidelity and surety bonds and other documents of similar character issued by the company in the course of its business.

"The power of appointment granted in this paragraph to the officers enumerated may be exercised by each of them severally, regardless of the availability or unavailability of the other officers enumerated. On any instrument making or evidencing such appointment the signatures may be affixed by facsimile.

"On any instrument conferring such authority or on any bond or undertaking of the company the seal, or a facsimile thereof, may be impressed or affixed or in any other manner reproduced; provided, however, that the seal shall not be necessary to the validity of any such instrument or undertaking."

I, W. D. Hammersla, Secretary of General Insurance Company of America, do hereby certify that the foregoing is a true and correct copy of Article VI, Section 13 of the By-Laws of said corporation and of a power of attorney executed pursuant thereto and that both said By-Laws and said power of attorney are still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the facsimile seal of said corporation

this 7th day of December, 19 72.



SECRETARY

BID:		BERCOT, INC.		NOBIS-WESTROPP, INC.		JOHN DEHNER, INC.	
Item	Quantity	Unit Price	Extension	Unit Price	Extension	Unit Price	Ext
1.	1,640 ft. 6" Cast Iron Pipe	\$ <u>7.65</u>	\$ <u>12,546.00</u>	\$ <u>7.00</u>	\$ <u>11,480.00</u>	\$ <u>8.70</u>	\$ <u>14,268.00</u>
2.	1 only Fire Hydrant Assy., Type I w/box	<u>612.00</u>	<u>612.00</u>	<u>590.00</u>	<u>590.00</u>	<u>540.00</u>	<u>540.00</u>
3.	2 each Fire Hydrant Assy., Type II w/box	<u>612.00</u>	<u>1,224.00</u>	<u>600.00</u>	<u>1,200.00</u>	<u>575.00</u>	<u>1,150.00</u>
4.	4 each 6" Valves w/box	<u>176.00</u>	<u>680.00</u>	<u>145.00</u>	<u>580.00</u>	<u>142.00</u>	<u>568.00</u>
5.	1 only 6" Mechanical Joint Cross	<u>306.00</u>	<u>306.00</u>	<u>120.00</u>	<u>120.00</u>	<u>80.00</u>	<u>80.00</u>
6.	210 L.F. Asphalt Replacement	<u>3.50</u>	<u>735.00</u>	<u>12.00</u>	<u>2,520.00</u>	<u>1.54</u>	<u>323.40</u>
7.	20 L.F. Concrete Replacement	<u>10.00</u>	<u>200.00</u>	<u>15.00</u>	<u>300.00</u>	<u>5.00</u>	<u>100.00</u>
8.	50 L.F. Driveway Stone Replacement	<u>1.75</u>	<u>87.50</u>	<u>2.00</u>	<u>100.00</u>	<u>.75</u>	<u>37.50</u>
9.	50 L.F. 12" Tile Replacement	<u>2.60</u>	<u>130.00</u>	<u>7.00</u>	<u>350.00</u>	<u>5.00</u>	<u>250.00</u>
10.	10 L.F. 8" Tile Replacement	<u>2.60</u>	<u>26.00</u>	<u>6.00</u>	<u>60.00</u>	<u>4.75</u>	<u>47.50</u>
11.	1,360 L.F. Top Soil and Reseeding	<u>.61</u>	<u>829.60</u>	<u>1.00</u>	<u>1,360.00</u>	<u>.45</u>	<u>612.00</u>
12.	22 each 3/4" Service taps with curb stop and curb box, installed to within 7' of owner's property line, in desired location of each property owner. Vacant lots to be installed in center of lot.	<u>160.00</u>	<u>3,520.00</u>	<u>150.00</u>	<u>3,300.00</u>	<u>168.00</u>	<u>3,696.00</u>
Total Bid			<u>20,896.10</u>	<u>40 hrs</u>	<u>\$ 21,960.00</u>	<u>32 hrs</u>	<u>\$ 21,120.00</u>
13.	Inspection Hours - 40 -	@ \$8.44/hr.	<u>337.60</u>	@ \$8.44/hr.	<u>337.60</u>	@ \$8.44/hr.	<u>271.68</u>

Public Works

DIGEST SHEET

TITLE OF ORDINANCE Special Ordinance

DEPARTMENT REQUESTING ORDINANCE Board of Public Works

SYNOPSIS OF ORDINANCE Special Ordinance approving contract with Bercot, Inc.

for installation of a water line to serve properties in Hickory Grove Addition.

City's participation in the project is 16% of the total cost or approximately \$3,300.00.

This project is being done under the Land Improvement Act - similar to Barrett Law -

allowing property owners to bond their assessment.

EFFECT OF PASSAGE City water service to numerous property owners.

EFFECT OF NON-PASSAGE This project is done by petition from property owners.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) Approximately \$3,300.00

cost, but will be a gain of new customers for City Utilities.

ASSIGNED TO COMMITTEE (J.N.) _____

ORDINANCE CHECK-OFF SHEET

INFORMATION REGARDING ORDINANCE

CONTENTS OF ORDINANCE

	BILL NO. <i>A-73-01-05</i>
	ORDINANCE NO. <i>D-06-73</i>
X	REGULAR SESSION <i>1-9-73</i>
	SPECIAL SESSION
	APPROVED AS TO FORM AND LEGALITY <i>Keller</i>
	BILL WRITTEN BY <i>Bo. of Public Works</i>
	DATE INTRODUCED <i>1-9-73</i>
	REFERRED TO SAID STANDING COMMITTEE <i>Public Works</i>
	REFERRED TO CITY PLAN
	LEGAL PUBLIC HEARING
	LEGAL PUBLICATION
	JOINT HEARING
	DEPARTMENT HEARING
	HOLD FILE
X	PASS <i>1-23-73</i>
	DO NOT PASS
	WITHDRAWN
	SUSPENSION OF RULES
	PRIOR APPROVAL
	ORDINANCE TAKEN OUT OF OFFICE
	OTHER INSTRUCTIONS REGARDING ORDINANCE
	CORRECTIONS MADE TO ORDINANCE
	PEOPLE SPEAKING FOR ORDINANCE
	PEOPLE SPEAKING AGAINST ORDINANCE

X	COMMITTEE SHEET
X	VOTE SHEET
	PURCHASE ORDERS
X	BIDS
	ORDERS, BIDS OR OTHER PAPERS TAKEN OUT AND BY WHOM
	LETTER REQUESTING ORDINANCE DRAWN UP BY CITY ATTORNEY
	COMMUNICATIONS FROM
	ZONING MAPS
	<i>Contract & Bond</i>
	ABSTRACTS <i>Liability Bond</i>
	<i>Power of attorney</i>
	TITLES
	PRIOR APPROVAL LETTER

Original Sheet.

COUNCILMAN'S VOTE

	AYES	NAYS	ABSENT
BURNS	X		
HINGA	X		
KRAUS	X		
MOSES	X		
NUCKOLS	X		
D. SCHMIDT	X		
V. SCHMIDT	X		
STIER	X		
TALARICO	X		

COMMENTS: